Congress of the United States Washington, DC 20515

August 14, 2020

The Honorable Sonny Perdue Secretary of Agriculture United States Department of Agriculture 1400 Independence Avenue SW Washington, DC 20250

Dear Mr. Secretary,

We write to express deep concerns about a recent news report regarding the U.S. Department of Agriculture (USDA) including a letter signed by President Donald Trump on White House letterhead in each food box distributed through the Farmers to Families Food Box (FFFB) Program. Using a federal relief program to distribute a self-promoting letter from the President to American families just 3 months before the presidential election is inappropriate and a violation of federal law. We strongly urge you to end the practice immediately.

The Hatch Act prohibits executive branch employees from using their official authority or influence for the purposes of affecting the result of an election.¹ Additionally, federal law prohibits any person from commanding, or coercing, any employee of the federal government to engage in, or not to engage in, any political activity.² A public health crisis is not an opportunity for the administration to promote its own political interests. Likewise, a federal food assistance program should not be used as a tool for the President to exploit taxpayer dollars for his re-election campaign.

For this reason, we ask that you provide responses to the following by August 31, 2020:

- 1. Detail the purpose of the President's letter.
- 2. Identify who directed the President's letter to be included in the FFFB food boxes and when the decision was made to do so.
- 3. Explain whether the inclusion of the President's letter in FFFB food boxes is mandatory or voluntary. Detail any guidance or instructions USDA is providing to contractors or non-profits regarding including the letter in the food boxes.
- 4. Outline whether the federal government will be paying any portion of the costs associated with the production or inclusion of these letters in FFFB food boxes incurred by contractors or non-profits.
- 5. Identify the total amount of funding expended or obligated to plan, coordinate, draft, review, provide stakeholder or public notification, and disseminate the President's letter. Include the specific regulatory or statutory authorities associated with such funding.
- 6. Detail whether any USDA employees were instructed or commanded to assist with the planning, coordinating, drafting, reviewing, stakeholder notification, or dissemination of the President's letter.

¹ 5 U.S.C. § 7323(a)(1)

² 18 U.S.C. § 610

- 7. Explain the rationale for why the letter is signed by the President on White House letterhead rather than by the Secretary of Agriculture and/or the Secretary of Health and Human Services.
- 8. Explain whether the Centers for Disease Control (CDC) drafted or reviewed any part of the letter.
- 9. We understand the President's letter notes a key best practice to support nationwide recovery is to "consider wearing a face covering when in public." However, the CDC website states, "everyone should wear a mask in public settings and when around people who don't live in your household." Please explain why the President's letter is not fully consistent with CDC guidance on masks.
- 10. Provide our offices a copy of any letter signed by the President on White House letterhead included, intended to be included or accompanying the FFFB food boxes.

The focus of the Farmers to Families Food Box Program should be to provide food to the millions of people in need across the country during the coronavirus pandemic. We appreciate your immediate attention to this matter and look forward to your timely response to this letter.

Sincerely,

Marcia L. Fudge

Member of Congress

S/

Alma S. Adams, Ph.D. Member of Congress

s/

Cindy Axne

Member of Congress

s/

Karen Bass

Member of Congress

s/

Sanford D. Bishop, Jr Member of Congress

s/

André Carson Member of Congress

0/

Joaquin Castro Member of Congress Stacey E. Plaskett

Member of Congress

S/

David N. Cicilline Member of Congress

s/

Wm. Lacy Clay Member of Congress

c/

Emanuel Cleaver, II Member of Congress

s/

Steve Cohen Member of Congress

s/

Danny K. Davis Member of Congress

s/

Madeleine Dean Member of Congress Rosa DeLauro Member of Congress

s/

Diana DeGette Member of Congress

s/

Eliot Engel

Member of Congress

s/

Veronica Escobar Member of Congress

S/

Dwight Evans Member of Congress

s/

Jesús G. "Chuy" García Member of Congress

s/

Deb Haaland Member of Congress

s/ Sheila Jackson Lee Member of Congress	s/ Carolyn B. Maloney Member of Congress	s/ Tim Ryan Member of Congress
s/ Henry C. "Hank" Johnson, Jr. Member of Congress	s/ James P. McGovern Member of Congress	s/ Jan Schakowsky Member of Congress
s/	s/	s/
Marcy Kaptur Member of Congress	Richard E. Neal Member of Congress	Bradley S. Schneider Member of Congress
s/ Joseph P. Kennedy, III Member of Congress	s/ Eleanor Holmes Norton Member of Congress	s/ Kim Schrier, M.D. Member of Congress
s/	s/	s/
Daniel T. Kildee Member of Congress	Alexandria Ocasio-Cortez Member of Congress	Adam Smith Member of Congress
s/	s/	s/
John B. Larson Member of Congress	Chellie Pingree Member of Congress	Bennie Thompson Member of Congress
s/	s/	s/
Al Lawson, Jr. Member of Congress	Ayanna Pressley Member of Congress	Rashida Tlaib Member of Congress
s/ Barbara Lee	s/ David E. Price	s/ Nydia M. Velázquez
Member of Congress	Member of Congress	Member of Congress
s/ Alan Lowenthal Member of Congress	s/ Lucille Roybal-Allard Member of Congress	
s/ Ben Ray Luján Member of Congress	s/ Bobby L. Rush Member of Congress	